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US PATENT & TRADEMARK
OFFICE

PATENT
8075-1055

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of

Tadahiro OHMI et al.

Application No. 09/889,269

Filed March 5, 2002

Conf. 2418

Group 1772

Examiner A. Chevalier

METAL MATERIAL HAVING FORMED THEREON CHROMIUM OXIDE,
PASSIVE FILM AND METHOD FOR PRODUCING THE SAME, AND
PARTS CONTACTING WITH FLUID AND SYSTEM FOR SUPPLYING
FLUID AND EXHAUSTING GAS

REQUEST FOR REFUND UNDER 37 CFR 1.26

MAIL STOP 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

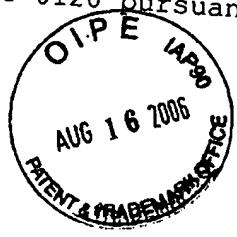
It is respectfully requested that the sum of \$1,020
which was paid on June 13, 2006 by check under fee code 1253 be
refunded and credited to counsel's deposit account No. 25-0120,
for the following reasons.

A three-month extension of time in the amount of \$1,020
was paid twice in the above-captioned application and charged on
June 13, 2006, as well as on June 19, 2006, as is evidenced by
the accompanying Notice of Appeal form signed by Andrew J. Patch,
as well as the Petition for Extension of Time signed by the
attorney of record, Randall J. Knuth.

Since the sum of \$1,020 for the three-month extension
of time was paid in excess, by the virtue of having been paid
twice by two different parties, it is respectfully requested that

Serial No. 09/889,269
Docket No. 8075-1055

such sum of \$1,020 be promptly credited to deposit account No.
25-0120 pursuant to 37 CFR 1.26(a).



Respectfully submitted,
YOUNG & THOMPSON

Benoit Castel

Benoit Castel, Reg. No. 35,041
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

BC/fb

August 16, 2006

PTO/SB/30 (04-05)
Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

O I P E
JUN 16 2006
U. S. PATENT & TRADEMARK OFFICE

O I P E
AUG 16 2006
U. S. PATENT & TRADEMARK OFFICE

RCE
TSW

Request

Continued Examination (RCE)
Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/889,269
Filing Date	Jul 13, 2001
First Named Inventor	Ohm;
Art Unit	1772
Examiner Name	A. Chevalier
Attorney Docket Number	FUK-84

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114] Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. Other _____

b. Enclosed

i. Amendment/Reply
ii. Affidavit(s)/ Declaration(s)

iii. Information Disclosure Statement (IDS)

iv. Other _____

2. Miscellaneous

a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 501157. I have enclosed a duplicate copy of this sheet.

i. RCE fee required under 37 CFR 1.17(e)
ii. Extension of time fee (37 CFR 1.136 and 1.17)
iii. Other _____

08/19/2006 NHNGUYEN 08888842 09889269

01 FC:1881

790.00 CP

b. Check in the amount of \$ _____ enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Signature	SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED		
Name (Print/Type)	<i>Randall J. Knut</i>	Date	June 13, 2006
		Registration No.	34,644

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature

Name (Print/Type)

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/22 (12-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)

Application Number	09/889,769	Docket Number (Optional)	FUK-84
For	Metal Material Having Formed Thereon Chromium Oxide Passivating Film	Filed	
Art Unit	1772	Examiner	A Chevalier

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	Fee	Small Entity Fee	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$ _____
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$ _____
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$ _____
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$ _____

Applicant claims small entity status. See 37 CFR 1.27.

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to

Deposit Account Number _____ I have enclosed a duplicate copy of this sheet.
WARNING: Information on this form may become public. Credit card information should not be included on this form.
Provide credit card information and authorization on PTO-2038.

I am the

applicant/inventor.

assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).

attorney or agent of record. Registration Number 34,644.

attorney or agent under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34

86/19/2006 NNGUYEN1 88888842 89889269

82 FC:1253

1029.00 (P)

Signature

Randall J. Knuth

Typed or printed name

June 13, 2006

Date

260-607-6344

Telephone Number

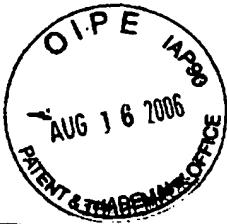
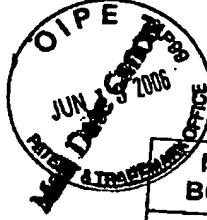
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of

forms are submitted.

This collection of information is required by 37 CFR 1.136(e). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



ZJW AFS

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number 8075-1055
Applicant(s): Tadahiro OHMI et al.	Conf.: 2418	
Application #: 09/889,269	Filed: March 5, 2002	
Title: METAL MATERIAL HAVING FORMED THEREON CHROMIUM OXIDE, PASSIVE FILM AND METHOD FOR PRODUCING THE SAME, AND PARTS CONTACTING WITH FLUID AND SYSTEM FOR SUPPLYING FLUID AND EXHAUSTING GAS		
Group Art Unit: 1772	Examiner: A. Chevalier	

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated December 13, 2005 rejecting the following claims: 2 and 5-12.

The fee for this Notice of Appeal is:

\$500.00

If I have checked one of the boxes below, then this is also a petition for an extension of time under 37 CFR 1.136(a) to reply to the rejection:

Extension of time requested for:

- 1 Month
- 2 Months
- 3 Months
- 4 Months (if available)

Non-small entity fee for extension of time:
\$120.00
\$450.00
\$1,020.00
\$1,590.00

The sum of the fee for the Notice of Appeal and the fee for any extension of time is:

\$1,520.00

- Applicant claims small entity status. See 37 CFR 1.27.
Therefore, the fee shown above is reduced by half, and the resulting fee is:\$
- A check in the amount of the fee is enclosed.
- The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 25-0120. I have enclosed a duplicate copy of this sheet.

Respectfully submitted,

YOUNG & THOMPSON

Andrew J. Patch, Reg. No. 32,925
745 South 23rd Street JADD01 08888821 09889269
Arlington, VA 22202
Telephone (703) 685-2297 500.00 00
Telefax (703) 685-0573 1820.00 00
(703) 979-4709



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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Docket Number (Optional)

FuK-84

FY 2005

(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818))

Application Number 09/389,269

Filed

For Metal Material Having Formed Thereon Chromium Oxide Passivation ...

Art Unit 1772

Examiner A Chevalier

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	Fee	Small Entity Fee
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080

 Applicant claims small entity status. See 37 CFR 1.27. A check in the amount of the fee is enclosed. Payment by credit card. Form PTO-2038 is attached. The Director has already been authorized to charge fees in this application to a Deposit Account. The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number _____ I have enclosed a duplicate copy of this sheet.WARNING: Information on this form may become public. Credit card information should not be included on this form.
Provide credit card information and authorization on PTO-2038.

06/19/2006 NNGUYEN1 00000042 09889269

I am the applicant/inventor.

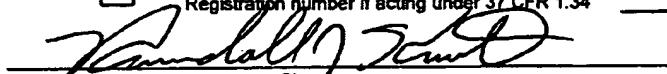
02 FC:1253

1028.00 OP

assignee of record of the entire interest. See 37 CFR 3.71.
 Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).

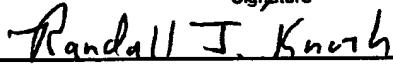
attorney or agent of record. Registration Number 34,644

attorney or agent under 37 CFR 1.34.
 Registration number if acting under 37 CFR 1.34



June 13, 2006

Date



260-607-6344

Telephone Number

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

 Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Adjustment date: 09/22/2006 ZJUHAR1
 06/19/2006 NNGUYEN1 00000042 09889269
 02 FC:1253 -1020.00 OP

Repln. Ref: 09/22/2006 ZJUHAR1 0012094000
 DA#250120 Name/Number:09889269
 FC: 9204 \$1020.00 CR